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Filing date: **01/10/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91125615
Party	Plaintiff UNIVERSITY OF SOUTHERN CALIFORNIA
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Submission	Plaintiff's Notice of Reliance
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Signature	/michael adler/
Date	01/10/2006
Attachments	NOR 11 Redacted.pdf (21 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

UNIVERSITY OF SOUTHERN
CALIFORNIA,

Opposer,

v.

UNIVERSITY OF SOUTH CAROLINA,

Applicant.

Opposition No. 91125615

Serial No. 75/358,031

Mark: **SC (Stylized)**

Filed: September 16, 1997

Published: May 18, 1999

**OPPOSER'S NOTICE OF RELIANCE NO. 11
RELATING TO DOCUMENTS PRODUCED DURING DISCOVERY IN THIS ACTION
AND ADMISSIBLE BY NOTICE OF RELIANCE PURSUANT TO STIPULATION
BETWEEN ALL PARTIES**

VERSION WITH CONFIDENTIAL PORTIONS REDACTED

Pursuant to Stipulation Regarding Documents entered into between Opposer the University of Southern California ("Opposer" or "California") and Applicant, the University of South Carolina, ("Applicant" or "Carolina") (collectively "Parties") on or about December 16, 2005, and filed with the Board on December 29, 2005, the Parties have agreed that certain documents produced in discovery in this case may be admitted into evidence by means of a notice of reliance. Specifically, the Parties stipulated as follows with respect to the documents identified below:

Opposer University of Southern California ("California") and University of South Carolina ("Carolina") (collectively "Parties") agree and stipulate that for the purposes of this action, the following documents are authentic and may be admitted into evidence by means of a notice of reliance. The Parties further agree and stipulate that for the purposes of this action these documents shall be considered as business records and/or ancient documents, and the Parties waive any other hearsay objections to the documents *except* that the Parties retain the

right to object to material in such documents that constitutes hearsay within hearsay to the extent that such objections would have been otherwise available.

In accordance with TBMP §§ 704.11 and 705, documents may be made of record in an inter partes proceeding before the Board by stipulation of the parties. Attached as Exhibits 240 through 246, respectively, are true and correct copies of the following documents produced in discovery in this action and stipulated to by the Parties:

Opposer's Exhibit No.	Bates Range	Description
240	OPP 02238 - OPP 02239	Schedule of Cost of Catalog Printing, 1996-2005
241	OPP 02240 - OPP 02243	South Coast Plaza Annual Advertising Report for Lease Year Ended 01/31/2000
242	OPP 02244 - OPP 02248	02/24/1999 memorandum to D. Stimmler from C. Shinn re Advertising for South Coast Plaza 02/01/1998 through 01/31/1999, with attachments
243	OPP 02249 - OPP 02257	02/19/1998 memorandum to D. Stimmler from C. Shinn re Advertising for South Coast Plaza 01/01/1996 through 12/31/1996, with attachment
244	OPP 02258; OPP 02263	02/19/1997 memorandum to D. Stimmler from C. Shinn re Advertising for South Coast Plaza 02/01/1998 through 01/31/1999, with attachments
245	OPP 02302; OPP 02304	South Coast Plaza Ads, 1996
246	OPP 01743; OPP 01814	Ads for Official Online Store for University of Southern California Athletics Fanstore

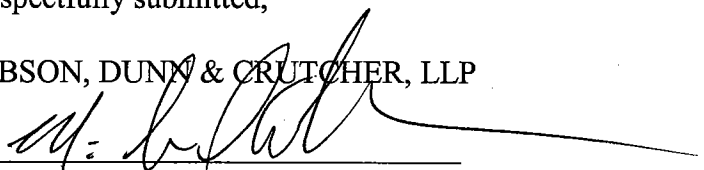
Opposer hereby gives Notice that it will rely upon these documents. The documents are relevant in this action to demonstrate that Opposer has advertised and marketed merchandise bearing Opposer's marks (including variations of its SC mark) through physical retail stores located outside of campus and through at least 250,000 catalogs since at least as early as 1996.

The documents further demonstrate a portion of Opposer's advertising expenditures.

Dated: January 10, 2006

Respectfully submitted,

GIBSON, DUNN & CRUTCHER, LLP



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Attorneys for Opposer

University of Southern California

REDACTED
Entire Exhibit No. 240
HIGHLY CONFIDENTIAL

REDACTED
Entire Exhibit No. 24
HIGHLY CONFIDENTIAL

REDACTED
Entire Exhibit No. 242
HIGHLY CONFIDENTIAL

REDACTED
Entire Exhibit No. 243
HIGHLY CONFIDENTIAL

REDACTED
Entire Exhibit No. 244
HIGHLY CONFIDENTIAL

South Coast Ads

For the deposition
tomorrow.



Fall
196

USC COLLECTIONS

A Return to Glory...USC Collections

congratulates the 1996 Rose Bowl

Champion, USC Football Team.

South Coast Plaza, Level Two. 714.444.4476

S O U T H C O A S T P L A Z A 1 . 8 0 0 . 7 8 2 . 8 8 8 8

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Univ. South Carolina

**THIS IS THE FINAL PROOF FOR YOUR
APPROVAL. UNLESS OTHERWISE INDICATED,
YOUR CATALOG AD WILL APPEAR JUST AS
SHOWN ON THIS PROOF.**

Opposer's
Ex. No. 245 Pg. No. 2

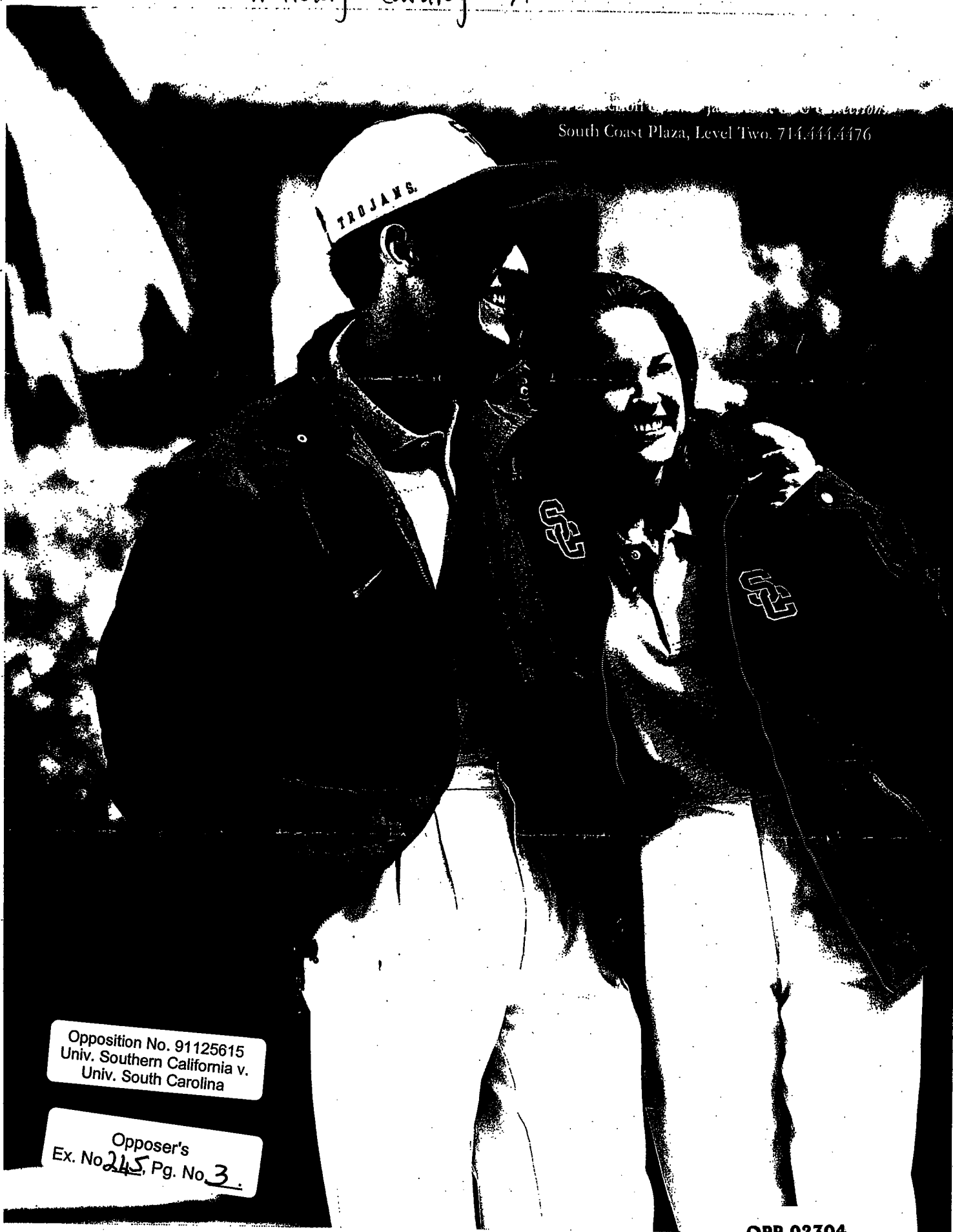
Approved

Date

7/29/96

OPP 02303

South Coast Plaza, Level Two. 714.444.4476



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Opposer's
Ex. No. 245, Pg. No. 3.

OPP 02304

USC FANSTORE www.usctrojans.com



Official Online Store of USC Athletics

FANSTORE

Merchandise supplied by the USC University Bookstore

BUY YOUR HOLIDAY GIFTS ONLINE!



Bring Your Trojan Fan To The Game Prepared.

The Trojan Fan Store is the official online store for USC Athletics offering a wide selection of official Trojan gear. From Nike sideline apparel to Team Trojan products to other gifts and novelties, you can find it at usctrojans.com.

And since proceeds from every sale benefit the University, your purchase supports the Athletic Department in its mission to provide a quality education for its student athletes as they compete for National Championships.



OFFICIAL COACHES AND SIDELINE APPAREL, HATS, POLO SHIRTS, FLEECE, T-SHIRTS, GIFTS AND NOVELTIES

The Trojan Fan Store

The Trojan Fan Store is the official online store for USC Athletics offering a wide selection of official Trojan gear. From Nike sideline apparel to Team Trojan products to other gifts and novelties, you can find it at usctrojans.com.

And since proceeds from every sale benefit the University, your purchase supports the Athletic Department in its mission to provide a quality education for its student athletes as they compete for National Championships.

Official Coaches and Sideline Apparel, Hats, Polo Shirts, Fleece, T-shirts, Gifts and Novelties



Official Online Store of USC Athletics
FANSTORE
 Merchandise supplied by the USC University Bookstore

**Make sure you come to the game prepared.
 Go to usctrojans.com and get
 everything you need to cheer on the Trojans.**

[3]

Group Sales

MAKE YOUR TRIP TO THE COLISEUM A GROUP OUTING

A USC Football game is the perfect event to host your Company Party, Church Group, Social Club, Reunion, School Groups and Teams. Call the USC Ticket Office NOW to plan your event! **(213) 740-GO SC**

GROUPS OF 25 OR MORE RECEIVE:

- \$8 OFF the reserved seat price,
 \$37 - Colorado & \$27 other 5 games
 (Does not include Notre Dame)
- COLISEUM BOARD WELCOME
- COMPLIMENTARY POSTERS AND
 POCKET SCHEDULES for the entire group
- COMPLIMENTARY MEDIA GUIDE for the
 Group Leader, while supplies last
- CONVENIENT REFUND POLICY -

Unsold tickets over the minimum are refundable until two weeks prior to game day for a \$2.00 service charge per ticket.

NO refunds for Notre Dame game

**CALL USC GROUP SALES,
 (213) 740-GO SC**

Hospitality

Each Pre-Game Hospitality Package includes a private reserved area inside or outside the Coliseum, full catering by Bristol Farms, game tickets, parking passes, game programs, and satellite coverage of other games in action. For more information,

**PLEASE CALL USC HOSPITALITY
 RESERVATIONS, (213) 740-4170**

[4]

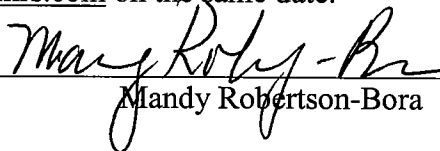
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **OPPOSER'S NOTICE OF RELIANCE NO. 11 RELATING TO DOCUMENTS PRODUCED DURING DISCOVERY IN THIS ACTION AND ADMISSIBLE BY NOTICE OF RELIANCE PURSUANT TO STIPULATION BETWEEN ALL PARTIES** is being placed in the United States mail, first class, postage pre-paid, on January 10, 2006, addressed to the following:

John C. McElwaine
Liberty Center, Suite 600
151 Meeting Street
Charleston, SC
29401-2239

Attorneys for Applicant University of South Carolina

A copy is being sent by e-mail to JCM@nmrs.com on the same date.



Mandy Robertson-Bora